

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Edward Komito,

Plaintiff,

v.

Thomson Reuters Holdings, Inc. et al.,

Defendants.

Civil Action No. 5:19-cv-04679-JLS

STIPULATION AND [PROPOSED] ORDER

AND NOW, on this 20th day of December 2019, IT IS HEREBY
AGREED by and between the Parties as follows:

1. This matter is to be submitted to the Honorable Timothy Rice
United States Magistrate Judge, for mediation and possible settlement and shall proceed in
mediation until settled or until the Magistrate Judge returns the matter to the Court for
disposition. The mediation shall not continue for more than sixty (60) days without the
consent of both parties.

2. The parties for the mediation shall be Edward Komito and West Publishing
Corporation ("West"). Without admission of any liability, West represents that it is the
author of the reports in question, and will negotiate with Komito for the resolution of all
claims set forth in the Complaint against all defendants. West Publishing has the authority
to bind all defendants to any settlement reached among the parties.

3. During the pendency of the court-ordered mediation, the parties have mutually agreed to a stay of all proceedings with a full reservation of each of the party's respective rights until such time as the matter is resolved or until an impasse is reached and returned to this Court for disposition.

4. In the event an impasse is reached and the matter is returned to Court, defendants will then have thirty (30) days to file an Answer or other responsive pleading.

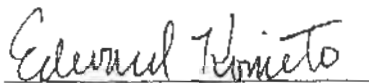
5. It shall not be evidence of any claim or defense, or waiver of any claim or defense, that the parties submitted to such mediation.

6. Any information exchanged in the course of the mediation, all discussions in furtherance of mediation, and any documents created or exchanged in furtherance of mediation shall be considered confidential under Federal Rule of Evidence 408 and will not be admissible by any party for any purpose.

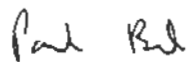
7. IT IS HEREBY ORDERED that the deadline for the defendants to respond to the plaintiff's complaint is **STAYED** pending further order of the Court.

8. Mediation will not be held unless counsel has clients with full and complete settlement authority physically present for the duration of the conference(s). If more than one session of mediation is completed, full and complete authority shall mean the party's representative must possess authority consistent with the most recent demand. Physically present shall mean physically within the building where the conference(s) is/are to be held. Standing by on the telephone is not defined as physically present.¹

¹ Parties include all persons, corporations or other business entities, and insurance companies with an interest in the case, and each entity with an interest in the case must attend the conference. In the case of corporate or other

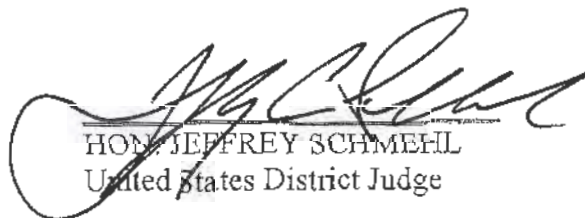


Edward Komito



Paul Bond, Esq.

SO ORDERED:



HON. JEFFREY SCHMEHL
United States District Judge

business entities, the corporate official with ultimate settlement authority is required to attend. Where an insurance company is involved, a representative with full and complete settlement authority is also required to attend.